PATENT
Docket No. 219002029000

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Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Babu J. MAVUNKEL, *et al.*

Serial No.: 09/575,060

Filing Date: 19 May 2000

For: INDOLE-TYPE DERIVATIVES AS INHIBITORS OF p38 KINASE

Examiner: Celia Chang

Group Art Unit: 1625

EXPEDITED PROCEDURE -- EXAMINING GROUP 1625

AMENDMENT UNDER 37 C.F.R. § 1.116

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to a final Office action herein mailed 29 November 2002, time for response to which was set to expire 28 February 2003. Claims 22-28, 34-35 and 45-84 were considered free of the art and allowable. Applicants appreciate the recognition that these claims are free of the art. It is believed that the amendment below to claim 1 disposes of the rejection of claim 1 and claims 2-6, 9, 11-12, 16-21, 29-33, 36-37 and 39 dependent thereon.

Reconsideration in light of the amendment is respectfully requested.

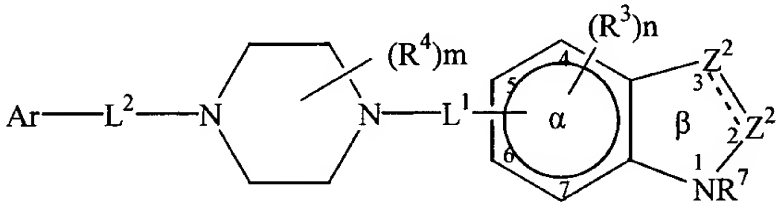
Enclosed is the following Exhibit A: Marked-up Version of Amendments.

AMENDMENT

In the Claims:

Please replace the presently pending claim 1 with the following claim 1:

1. (Thrice amended) A compound of the formula:



(1)

and the pharmaceutically acceptable salts thereof, or a pharmaceutical composition thereof, wherein

⁄ represents a single or double bond;

one Z^2 is CA or CR^8A and the other is CR^1, CR^1_2, NR^6 or N wherein each R^1, R^6 and R^8 is independently hydrogen or noninterfering substituent;

A is $-W_i-COX_jY$ wherein Y is COR^2 or an isostere thereof and R^2 is hydrogen or a noninterfering substituent, each of W and X is a spacer of 2-6Å which is substituted or unsubstituted alkylene, alkenylene or alkynylene, and each of i and j is independently 0 or 1;

R^7 is H or is optionally substituted alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, or is SOR, SO_2R, RCO, COOR, alkyl-COR, SO_3R, $CONR_2$, SO_2NR_2, CN, CF_3, NR_2, OR, alkyl-SR, alkyl-SOR, alkyl-SO_2R, alkyl-OCOR, alkyl-COOR, alkyl-CN, alkyl-$CONR_2$, or R_3Si, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof;

each R^3 is independently a noninterfering substituent;

n is 0-3;

each of L^1 and L^2 is independently alkylene or alkenylene optionally substituted with a moiety selected from the group consisting of alkyl, alkenyl, alkynyl, aryl, arylalkyl, acyl, aroyl, heteroaryl, heteroalkyl, heteroalkenyl, heteroalkynyl, heteroalkylaryl, NH-aroyl, halo, OR, NR_2, SR, SOR, SO_2R, OCOR, NRCOR, $NRCONR_2$, NRCOOR, $OCONR_2$, RCO, COOR, alkyl-OOR, SO_3R, $CONR_2$, SO_2NR_2, $NRSO_2NR_2$, CN, CF_3, R_3Si, and NO_2, wherein each R is independently H, alkyl, alkenyl or aryl or heteroforms thereof, and wherein two substituents on L^1 or L^2 can be

joined to form a non-aromatic saturated or unsaturated ring that includes 0-3 heteroatoms which are O, S and/or N and which contains 3 to 8 members or said two substituents can be joined to form a carbonyl moiety or an oxime, oximeether, oximeester or ketal of said carbonyl moiety;

each R^4 is independently a noninterfering substituent;

m is 0-4;

Ar is an aryl group substituted with 0-5 noninterfering substituents, wherein two noninterfering substituents can form a fused ring; and

the distance between the atom of Ar linked to L^2 and the center of the α ring is 4.5-24Å.